

Notice of Allowability

Application No.

10/758,796

Examiner

Fred Prince

Applicant(s)

LEE, F. DONALD

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 25, 2005.
2. ☒ The allowed claim(s) is/are 1-23 and 25 (renumbered as 1-24).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 0905.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Fred G. Prince
FRED G. PRINCE
PRIMARY EXAMINER
9/16/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Benjamin Erlick on September 16, 2005.

The application has been amended as follows:

Claim 23 has been amended as follows:

23) (Currently Amended) A portable purifying system comprising, in combination:

- a) means for providing a smaller reservoir within a larger reservoir;
- b) means for using re-circulating solvent from the larger reservoir, washing oily parts in such manner that oily residue from the washed parts is deposited in the smaller reservoir;
- c) means, within the smaller reservoir, for separating cleaner portions of solvent from dirtier portions of solvent;
- d) means for moving the cleaner portions of solvent into the larger reservoir; and
- e) means for using density differences to separate by gravity action cleaner portions from dirtier portions; and
- e) f) means for periodically emptying and cleaning the smaller reservoir.

Claim 24 has been cancelled.

Claim 25 has been amended as follows:

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25) (Currently Amended) A portable purifying system comprising, in combination the steps of:

- a) providing a smaller reservoir within a larger reservoir;
- b) using re-circulating solvent from the larger reservoir, washing oily parts in such manner that oily residue from the washed parts is deposited in the smaller reservoir;
- c) within the smaller reservoir, separating cleaner portions of solvent from dirtier portions of solvent;
- d) moving the cleaner portions of solvent into the larger reservoir; and
- e) using density differences to separate by gravity action cleaner portions from dirtier portions; and
- e) f) periodically emptying and cleaning the smaller reservoir.

Claim 26 has been cancelled.

2. The following is an examiner's statement of reasons for allowance: Claims 1-22 are allowed for the reasons provided by the examiner in the Office Action mailed May 23, 2005.

Per claims 23 and 25, while it is known in the art to provide a portable purifying system and method having a) means for providing a smaller reservoir within a larger reservoir; b) means for using re-circulating solvent from the larger reservoir, washing oily parts in such manner that oily residue from the washed parts is deposited in the smaller reservoir; c) means, within the smaller reservoir, for separating cleaner portions of solvent from dirtier portions of solvent; and d) means for moving the cleaner portions

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of solvent into the larger reservoir, wherein the smaller reservoir is emptied and cleaned (see, for example, US Pat No 5,954,071 to Magliocca), in the examiners opinion, the prior art fails to teach or render obvious using density differences to separate by gravity cleaner portions from dirtier portions. It is noted by the examiner that US Pat No 5,954,071 to Magliocca appears to teach away from using a gravity separator as it is disclosed that it is essential that centrifugal filter be used due to the "paste-like gunk" in the system.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Prince whose telephone number is (571) 272-1165. The examiner can normally be reached on Monday-Thursday, 6:30-4:00; alt. Fridays 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Fred Prince
Primary Examiner
Art Unit 1724

fgp
9/16/05